

IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MISSOURI  
CENTRAL DIVISION

VIRGINIA CICLE,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No. 07-04103-CV-C-NKL
	)	
CHASE BANK USA, N.A.,	)	
	)	
Defendant.	)	

**ORDER**

On December 21, 2007, this Court conditionally granted Defendant Chase Bank USA's Motion to Compel Arbitration and to Stay Litigation [Doc. # 27], giving Chase the opportunity to notify the Court within 10 days of the Order whether it agreed to pay all hearing costs and arbitrator fees associated with such an arbitration. The Order stated that if Chase did not so notify the Court, the Motion to Compel Arbitration would be denied thereafter.

Because Chase failed to notify the Court within the 10-day timeframe, it is hereby ORDERED that Defendant's Motion to Compel Arbitration and Stay Litigation [Doc. # 10] is DENIED. The Court finds the class-action waiver and the cost-splitting provisions unconscionable for the reasons stated in its December 21, 2007 Order.

S/ NANETTE K. LAUGHREY  
NANETTE K. LAUGHREY  
United States District Judge

Dated: January 18, 2008  
Jefferson City, Missouri

